

**The City of Springfield, Ohio
City Commission Public Hearing Minutes
Tuesday, August 17, 2021 – 6:50 p.m.
City Hall Forum**

197-21 Vacating the first alley north of Selma Road from Cypress Street southeast to the first intersecting alley, being approximately 150 feet.

The public hearing was called to order by President Copeland. Roll Call was answered by Mrs. Chilton, Dr. Estrop, Mr. Rue, and President Copeland. Mr. O'Neill was absent.

Mr. Copeland inquired from the Clerk if proper legal notice was given on such public hearing.

The Clerk read a communication relative thereto, attached to which were copies of the public hearing notices. Said notices were published in the *Springfield News-Sun* on July 27 and August 3, 2021.

On motion of Dr. Estrop, seconded by Mr. Rue, the communication and notice were ordered received, recorded in the minutes, and filed.

Yeas, Mrs. Chilton, Dr. Estrop, Mr. Rue, and Mr. Copeland.

Yeas 4, Nays 0.

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August 17 2021

Honorable City Commission  
The City of Springfield, Ohio

Honorable Commissioners:

Notice was published in the *Springfield News-Sun*, a newspaper of general circulation within the City, advertising the City Commission's consideration of vacating the first alley north of Selma Road from Cypress Street southeast to the first intersecting alley, being approximately 150 feet.

Attached hereto are true and correct copies of the Notices of Public Hearing published on July 27 and August 3, 2021.

Respectfully submitted,

Jill R. Pierce  
Clerk of the City Commission

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First Notice

NOTICE OF PUBLIC HEARING
PROPOSED RIGHT-OF-WAY VACATION

Notice is hereby given that on May 10, 2021, Renee Hayes, owner of 912 Cypress Street, filed with the Clerk of the City Commission of The City of Springfield, Ohio, a certain petition praying for the vacation of the first alley north of Selma Road from Cypress Street southeast to the first intersecting alley, being approximately 150 feet.

Notice is hereby further given that a Public Hearing will be held on Tuesday, August 17, 2021, at 6:50 p.m. (local time), in the City Commission Forum, City Hall, 76 East High Street, Springfield, Ohio, to consider the vacation of said right-of-way. Details on how to participate can be found on the City's website, www.springfieldohio.gov or by calling the City Clerk's Office at 937-324-7341.

By order of the City Commission of The City of Springfield, Ohio.

Jill R. Pierce
Clerk of the City Commission

7- 27/2021

Second Notice

NOTICE OF PUBLIC HEARING
PROPOSED RIGHT-OF-WAY VACATION

Notice is hereby given that a Public Hearing will be held on Tuesday, August 17, 2021, at 6:50 p.m. (local time), in the City Commission Forum, City Hall, 76 East High Street, Springfield, Ohio, to consider the vacation of the first alley north of Selma Road from Cypress Street southeast to the first intersecting alley, being approximately 150 feet. Details on how to participate can be found on the City's website, www.springfieldohio.gov or by calling the City Clerk's Office at 937-324-7341.

This notice has been published on the State of Ohio public notice website at www.publicnoticesohio.com and can also be viewed at www.springfieldnewssun.com.

By order of the City Commission of The City of Springfield, Ohio.

Jill R. Pierce
Clerk of the City Commission

Stephen Thompson, Community Development Deputy Director, City of Springfield, Ohio
76 East High Street, 937-324-7674, sthompson@springfieldohio.gov
8-3/2021

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Mr. Copeland then called upon Community Development Deputy Director Thompson for a staff report. He reported as follows:

### **GENERAL INFORMATION**

On May 10, 2021, applicant Renee Hayes, 912 Cypress Street, Springfield, Ohio 45505 filed a request to vacate the first alley north of Selma Road from Cypress Street southeast to the intersecting alley approximately 150 feet. The applicant stated in her application that the main reason for the alley vacation request is for her safety and her neighbors due to the alley being used for various criminal and damaging activities.

### **RETURNED REPORTS**

|                          |                                                                                                                                                                          |
|--------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Columbia Gas:            | No objections.                                                                                                                                                           |
| Spectrum:                | No objections.                                                                                                                                                           |
| AT&T:                    | No objections.                                                                                                                                                           |
| Ohio Edison:             | No objections; reserve easement rights.                                                                                                                                  |
| City Service Department: | No objections. There is a public storm sewer in the alley. City must maintain easement rights; easement cannot be blocked and no structures can be built over the sewer. |
| Fire Division:           | No objections.                                                                                                                                                           |
| Building Inspections:    | No objections.                                                                                                                                                           |
| Police Division:         | No objections.                                                                                                                                                           |
| City Manager's Office:   | No objections.                                                                                                                                                           |
| Planning and Zoning:     | The applicant states the request is to reduce the crime and traffic that occurs in the alley.                                                                            |

### **RECOMMENDATION**

Staff members recommended approval and members of the City Planning Board had a split vote on the request to vacate the subject right of way.

### **COMMENTS**

Mr. Copeland asked if there were comments from the Commission.

Mrs. Chilton asked if there were any objections at the City Planning Board. Mr. Thompson stated there was one citizen present at the meeting objecting to the vacation due to denied access to his property if blocked.

Mr. Gary Durst, 2800 South Limestone Street, noted that he owns the property at 908 Selma Road which only has access to the basement and rear of the property from the subject alley. If the applicant would block the alley as stated at the Planning Board meeting, access would be limited to his property. Mr. Durst also spoke on reported crime issues that he had not experienced with his nearby properties.

Mrs. Chilton asked if there were police reports filed related to the criminal activities. Mr. Thompson stated that he did not receive police reports with the applicant's documentation. City Manager Heck stated there were no reports in the immediate area.

Ms. Renee Hayes, applicant, 912 Cypress Street, stated that she did not have police reports but the police are in the area frequently.

Mr. Rue asked the applicant if she considered fencing just her yard rather than putting a fence down the alley stopping traffic from passing through.

Ms. Hayes replied that she did not plan to put a fence down the middle of the alley but in a way to stop traffic. She noted her concerns for safety for herself and neighbors and added that she would not stop all of the crime, but could stop some from being in the alley.

The Clerk read a letter received from Tammy Mundy of Mundy's Diner, Selma Road, supporting the alley vacation.

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There being no further business, on motion of Dr. Estrop, seconded by Mr. Rue, the public hearing adjourned.

Yeas, Mrs. Chilton, Dr. Estrop, Mr. Rue, and Mr. Copeland.

Yeas 4, Nays 0.



PRESIDENT OF THE CITY COMMISSION



CLERK OF THE CITY COMMISSION